

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	John W. Forsberg; Mark E. Schommer; David P. Olson; William C. Phillips; Alex C. Toy; Charles R. Lewis, Jr.	Confirmation No.	9349
Serial No.:	10/693,005	Filed:	October 24, 2003
Examiner:	Christopher A. Flory	Group Art Unit:	3762
Docket No.:	1023-294US01	Customer No.:	28863
Title:	MEDICAL DEVICE PROGRAMMER WITH INFRARED COMMUNICATION		

NOTICE OF APPEAL

Mail Stop Petition
Assistant Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 41.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1-12, 14-21 and 32 of the above-identified application, as set forth in the Office Action mailed March 21, 2008.

On October 3, 2007, Applicant filed a first Notice of Appeal and paid the Notice of Appeal fee. Prosecution was reopened following the filing of the first Notice of Appeal. Accordingly, the previously paid Notice of Appeal fee may be applied to the present Notice of Appeal as set forth under 37 C.F.R. 41.20(b)(1). Please charge Deposit Account No. 50-1778 in the amount of \$30 which is the difference between the increased Notice of Appeal fee and the amount previously paid.

Please charge any additional fees or credit any overpayment to Shumaker & Sieffert, Deposit Account No. 50-1778.

Date:

By:

October 9, 2008

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